

Public Chapter 260

HOUSE BILL NO. 1056

By Representatives Rhinehart, Kisber

Substituted for: Senate Bill No. 1050

By Senators Womack, Atchley, Henry, McNally

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, relative to the information systems council.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. It is the intention of the General Assembly that this amendment effectuate the public purpose of coordinating communications of State government to maximize practical consolidation and joint use of such communications services by public and private agencies.

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 3, is amended by adding the following as a new section:

Section 4-3-550___. Definitions. As used in this part, unless the context otherwise requires:

(1) "Local government" means any county, municipality, city or other political subdivision of this State, including any school districts or school systems created thereby;

(2) "Public agency" means a State agency, local government, an institution under the control of the University of Tennessee or the Tennessee Board of Regents, the judicial department, the legislative department, a special school district or any other local public school system or school district created or authorized by the General Assembly, a public library operated by any unit or agency of local or State government, a museum owned or operated by the State or any political subdivision of the State, or an agency or instrumentality of the federal government;

(3) "State communications" refers to the transmission of voice, data, video, the written word or other visual signals by electronic means but does not include broadcast radio and television facilities.

(4) "Private Agency" means an accredited nonpublic school or a nonprofit institution of higher education eligible for tuition grants;

SECTION 3. Tennessee Code Annotated, Title 4, Chapter 3, is amended by adding the following as a new section:

Section 4-3-550_. (a) The information systems council shall have the authority to establish a program to lease State communications services to public and private agencies, as set forth in policies and procedures prepared by the Commissioner of Finance and Administration and approved by the Comptroller of the Treasury. The council will establish fees consistent for all users of the network based on a cost recovery method approved by the Commissioner of Finance and Administration.

(b) Disputes about fees established under subsection (a) shall be resolved by the board of standards.

SECTION 4. Tennessee Code Annotated, Title 4, Chapter 3, is further amended by adding the following as a new section:

Section 4-3-550_. The information systems council shall have the authority to approve license or sale of the State's information systems interest or copyright to a vendor under policies and procedures prepared by the Commissioner of Finance and Administration and approved by the Comptroller of the Treasury. However, any license or sale of the legislature's information systems interest or copyright shall be subject to the approval of the Speaker of the Senate and the Speaker of the House of Representatives.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.